

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

OCT 16 2007

Sheet 1 of 2

Complete if Known

Application Number	09/525,797
Filing Date	March 15, 2000
First Named Inventor	Athanasius A. Anagnostou
Group Art Unit	1642
Examiner Name	Susan Ungar

Attorney Docket Number 5218-39B

U.S. PATENTS AND PATENT PUBLICATIONS

Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		

U.S. PATENT APPLICATIONS

Examiner Initials*	Cite No.	U.S. Serial No.	Name of Applicant of Cited Document	Date of Filing of Cited Document MM-DD-YYYY
		US-		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation
		Office	Number	Kind Code (if known)			

OTHER NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T
	1.	English translation of "Notice of Opposition" filed by Bioceuticals Arzneimittel AG 1-6 (2005) including the following D1-D9 annexed documents	
	D1	WO 98/10650 to East Carolina University 03/19/1998 including International Search Report dated 10/24/1997	
	D2	Rubins et al. "Metastatic Renal Cell Carcinoma" <i>Annals of Internal Medicine</i> 122(9):676-677 (1995)	
	D3	Carlini et al. "Recombinant human erythropoietin stimulates angiogenesis <i>in vitro</i> <i>Kidney International</i> 47:740-745 (1995)	
	D4	Höckel et al. "Therapeutic Angiogenesis" <i>Arch Surg</i> 128:423-429 (1993)	
	D5	Sungur, Cem "Renal Cell Carcinoma and Erythropoietin" <i>Annals of Internal Medicine</i> 123(9):732-733 (1995)	
	D6	Anagnostou et al. "Erythropoietin has a mitogenic and positive chemotactic effect on endothelial cells" <i>Proc. Natl. Acad. Sci.</i> 87:5978-5982 (1990)	
	D7	Carlini et al. "Recombinant human erythropoietin (rHuEPO) increases endothelin-1 release by endothelial cells" <i>Kidney International</i> 43:1010-1014 (1993)	
	D8	Nagai et al. "Effects of rHuEpo on cellular proliferation and endothelin-1 production in cultured endothelial cells" <i>Nephrol Dial Transplant</i> 10:1814-1819 (1995)	
	D9	Yamaji et al. "Brain capillary endothelial cells express two forms of erythropoietin receptor mRNA" <i>Eur. J. Biochem</i> 239:494-500 (1996)	
	D10	Miller et al. "Phase I-II Trial of Erythropoietin in the Treatment of Cisplatin-Associated Anemia" <i>J Natl Cancer Inst</i> 84(2): 98-103 (1992)	
	2.	English translation of "Observations of Patentee in Reply" 22 pages (2006) including the following A1-A8 annexed documents	
	A1	English translation of the Opposition Statement	
	A2	Timeline of treatments given to patient of D1 (1 page)	
	A3	Prescribing information for Procrit® (1-36) (2005)	
	A4	BCCA Protocol Summary for Alpha-interferon (α -IFN) for Advanced Renal Cell Carcinoma (2006)	
	A5	Neidhart, J.A. "Interferon therapy for treatment of renal cancer" <i>Cancer</i> 57(8 Suppl):1696-1699 (1986) ABSTRACT	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Complete if Known	
		Application Number	09/525,797
		Filing Date	March 15, 2000
		First Named Inventor	Athanasius A. Anagnostou
		Group Art Unit	1642
Examiner Name	Susan Ungar		
Sheet 2	of 2	Attorney Docket Number	5218-39B

OTHER NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
	A6	Whiteway et al. "An extremely delayed cytogenetic response to interferonalpha in a patient with chronic myeloidleukaemia" <i>Leukemia</i> 11(4):614-616 (1997)
	A7	< http://www.cancerguide.org/rcc_metastatic.html > 1-4 (2006)
	A8	< http://www.noetic.org/research/sr/faqs/html > 1-4 (2006)
	3.	English translation of "Response to the Patentee's Observations of 27 th April2006" 1-17 (2006) including the following D11-D13 annexed documents
	D11	Shinkelgaku et al. "Multiple cerebral infarction after treatment with cisplatin" <i>Rinsho Shinkeigaku</i> 36(3):499-502 (1996) ABSTRACT
	D12	Ito et al. "Vitamin E prevents endothelial injury associated with cisplatin injection into the superior mesenteric artery of rats" <i>Heart Vessels</i> 10(4):178-184 (1995) ABSTRACT
	D13	Breymann et al. "Optimal timing of repeated rh-erythropoietin administration improves its effectiveness in stimulating erythropoiesis in healthy volunteers" <i>Br J Haematol</i> 92(2):295-301 (1996) ABSTRACT
	4.	English translation of "Opponent's Rule 71A EPC Submissions File" 1-40 2007
	5.	English translation of "Patentee's Rule 71(a) EPC Submissions 29 pages (2007) including the following A9-A13 annexed documents
	A9	English translation of the Opposition statement 1-17
	A10	Expert Witness Statement of Professor Alexander F. Markham including his Curriculum Vitae 1-51 (2006)
	A11	Freed et al. "Idiopathic Regression of Metastases from Renal Cell Carcinoma" <i>The Journal of Urology</i> 118:538-542 (1977)
	A12	<i>In vivo</i> further experimental data from the Patentee (cisplatin and tumour weight and volume)
	A13	<i>In vivo</i> further experimental data from the Patentee (bleomycin and functional changes of the epithelium) (2 pages)

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.